

## **Remarks**

### ***Status of Claims***

Claims 1-24 have been canceled herein without prejudice or disclaimer. Applicants reserve the right to pursue subject matter encompassed by all canceled claims in one or more divisional or continuation applications. Claims 25-48 have been added to further expand the claimed embodiments of the elected subject matter. New claims 25-48 find support in the claims as originally filed and throughout the specification. Specifically, support for new claims 25-48 can be found, for example, at pages 37, line 20, through page 38, line 10 (HQAHD50); page 93, lines 6-7, in Table 1 (HQAHD50/SEQ ID No:213); page 341, lines 14-16 (30 and 50 contiguous amino acids); page 348, line 1, through page 357, line 17 (antibodies; including polyclonal, monoclonal, humanized, chimeric, single chain, or Fab fragments); page 370, lines 1-12 (ELISA); page 25, lines 5-19 (Western); page 367, lines 4-23 (labeled antibody); page 390, lines 15-21 (glycosylated polypeptides); and Example 22, on page 565, line 30, through page 566, line 24 (detecting a polypeptide in a biological sample). Accordingly, no new matter has been added. Upon entry of the present amendment, claims 25-48 will be pending.

### ***Election***

A restriction requirement under 35 U.S.C. § 121 has been issued in which claims 1-24 were separated into 10 different groups. *See*, Paper No. 08052005, pages 2-3. In addition, the Examiner has also required election of “one species from the polypeptide group in Table 1A (eleventh column)” Paper No. 08052005, page 9.

In order to be fully responsive and to comply with the pending election requirement, Applicants herein elect claims embodying the subject matter currently restricted to Group III (*i.e.*, drawn to the isolated antibodies of claim 13), for further prosecution. Additionally, to comply with the Examiner's request for election of a single polypeptide sequence, Applicants note that the pending claims, as amended herein, are drawn to antibodies which bind SEQ ID NO:213 polypeptide (HQAHD50). *See e.g.*, Table 1 at page 93. Thus, new claims 25-36 and 39-45 are directed to subject matter falling within the ambit of Group III as cast by the Examiner. Furthermore, Applicants respectfully request a search and examination of claims 37-38 and 46-48 (drawn to an isolated cell, hybridoma, or methods of detecting) upon allowance of generic claim 25.

***Compliance with 37 CFR § 1.821-1.825***

Applicants have amended the pending claims to recite a specific sequence identifier. Accordingly, the Examiner's objection under 37 CFR § 1.821-1.825 has been obviated.

***Change of Title***

Applicants have amended the pending claims in the present application to be drawn to HQAHD50 antibody embodiments (to accommodate the Restriction Requirement mailed August 16, 2005; Paper No. 08052005). As such, Applicants have also amended the Title of the present application to reflect the claimed antibody embodiments.

***Change of Inventorship***

Applicants have amended the claims in the present application to be drawn to HQAHD50 antibody embodiments. In this regard, the undersigned has been informed that the inventive entity of the subject matter encompassed by the elected claims is: Craig A. Rosen and Henrik S. Olsen. Accordingly, Applicants request that the presently allowed application be amended to show the above two persons as inventors. Thus, please remove the following names from the list of inventors: George A. Komatsoulis, Charles E. Birse, Gil H. Choi, Jian Ni, and Adam Bell.

### **Conclusion**

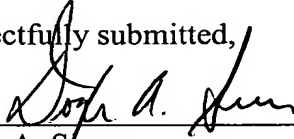
Applicants respectfully request that the above-made remarks be entered and made of record in the file history of the instant application. In view of the foregoing amendments and remarks, Applicants believe that this application is now in condition for further examination. The Examiner is invited to call the undersigned at the phone number provided below if any further action by Applicant would expedite the examination of this application.

If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 08-3425. If a fee is required for an extension of time under 37 C.F.R. § 1.136, such an extension is requested and the fee should also be charged to our Deposit Account.

Dated: October 17, 2005

Respectfully submitted,

By

  
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